

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: TRIEBEL=2A

In re Application of:)	Art Unit: 1642
)	
TRIEBEL et al.)	Examiner: K. A. Canella
)	
Appln. No.: 10/041,600)	Washington, D.C.
)	
Date Filed: January 10, 2002)	Confirmation No. 5099
)	
For: USE OF MHC CLASS II...)	February 7, 2005

TERMINAL DISCLAIMER

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop
401 Dulany Street
Alexandria, VA 22314

Sir:

INSTITUT GUSTAVE ROUSSY, a corporation of the Country
of France, having a principal place of business at 39, rue
Camille Desmoulins, F-94805 Villejuif, France; and APPLIED
RESEARCH SYSTEMS ARS HOLDING N.V., a corporation of the Country
of Netherlands Antilles, having a principal place of business
at Pietermaai 15, Curacao, The Netherlands Antilles (NL)
(hereinafter referred to as "Assignees"), are the owners of
100% of the entire rights, titles and interests in the above-
identified application and any patent to be granted thereon.
Assignees, through their undersigned agent of record, hereby
disclaim the terminal part of any patent granted on the above-

identified application which would extend beyond the expiration date of the full statutory term of United States Patent No. 5,874,250, plus any extension thereof which may be subsequently granted, and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that said patent is commonly owned with United States Patent No. 5,874,250, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns. Assignees do not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of United States Patent No. 5,874,250 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(1), has all claims cancelled by reexamination certificate, or is otherwise terminated prior to expiration of its full statutory term, except for the separation of legal title stated above. This terminal disclaimer is being made without waiver of petitioner's rights under 35 U.S.C. §156, or elsewhere, which may be available to extend the term of any patent granted on the above-identified application beyond the date set by this terminal disclaimer (37 C.F.R. §1.775(a)).

It is Assignees' intent that the amount of time disclaimed and the scope of the common ownership clause be the minimum required by law and this document is to be construed to effectuate said intent. No admission is made that any claim of the above-identified application is obvious over any claim of Patent No. 5,874,250.

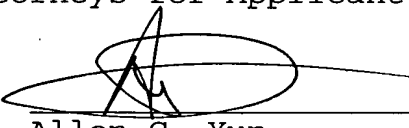
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The statutory disclaimer fee of \$130.00 is attached.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By



Allen C. Yun

Registration No. 37,971

ACY:pp

Telephone No.: (202) 628-5197

Facsimile No.: (202) 737-3528

G:\BN\S\Ser1\TRIEBEL2A\PTO\terminal disclaimer.doc